

1 Steven J. Parsons
Nevada Bar No. 363
2 LAW OFFICES OF STEVEN J. PARSONS
10091 Park Run Dr Ste 200
3 Las Vegas, NV 89145-8868
(702) 384-9900
4 (702) 384-5900 (fax)
Steve@SJPlawyer.com

5 Attorneys for Plaintiff
6 **ABC INDUSTRIAL LAUNDRY, LLC**

7 UNITED STATES DISTRICT COURT

8 DISTRICT OF NEVADA

9 **ABC INDUSTRIAL LAUNDRY, LLC**, a Nevada
limited liability company, dba **UNIVERSAL**
10 **LAUNDRY and SUPPLY**,

11 Plaintiff,

12 vs.

13 **FEDERAL INSURANCE COMPANY**, et al.,

14 Defendants.
_____ /

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Case No. 2:15-cv-869-RFB-(VCF)

STATUS REPORT;
STIPULATED DISCOVERY PLAN
and
PROPOSED SCHEDULING ORDER
(in response to Order (Doc. No. 60))

16 Plaintiff **ABC INDUSTRIAL LAUNDRY, LLC**, by its attorneys, Steven J. Parsons of LAW
17 OFFICE OF STEVEN J. PARSONS, and Joseph N. Mott and Scott Lundy of REMPFER MOTT LUNDY,
18 PLLC¹; Defendant **FEDERAL INSURANCE COMPANY**, by its attorneys, James P.C. Silvestri and
19 Brian Goldman of PYATT SILVESTRI, and Defendant **NATIONWIDE MUTUAL INSURANCE**
20 **COMPANY**, by its attorneys, Christine Emanuelson and Whitney Wilcher of HINES HAMPTON, LLP,
21 hereby submit this Status Report and Stipulated Discovery Plan and Proposed Scheduling
22 Order pursuant to the Court's Order of December 21, 2017, regarding the parties' Status
23 Check (Doc. No. 60).

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27 ¹On December 15, 2017, attorneys Joseph N. Mott and Scott Lundy joined a newly
formed law firm REMPFER MOTT LUNDY, PLLC. Both remain as Plaintiff's counsel.

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1 that Court, as are requested in this Discovery Plan and Scheduling Order.

2 1. **DISCOVERY PLAN:**

3 A. **DISCOVERY CUT-OFF DATE:** The plan is in general accordance with LR
4 26-1(e)(1), and the parties request two hundred seventy (270) days to conduct percipient
5 witness discovery measured from January 18, 2018, the date of this Status Report. The last
6 proposed day of discovery of percipient witnesses shall be Monday, October 15, 2018.

7 C. **FED. R. CIV. P. 26(a)(2) DISCLOSURES (EXPERTS):** Disclosure of experts
8 shall proceed according to Fed. R. Civ. P. 26(a)(2) except that:

9 i. The disclosure of experts and expert reports shall occur on Tuesday,
10 July 17, 2018, which is ninety (90) days before the discovery cut-off date;

11 ii. The disclosure of rebuttal experts shall occur on Thursday, August 16,
12 2018, which is thirty (30) days after the disclosure of experts.

13 2. **AMENDMENT OF THE PLEADINGS AND ADDING PARTIES:** The parties shall have
14 until Tuesday, July 17, 2018, to file any motion to amend the pleadings or to add parties. This
15 is ninety (90) days before the discovery cut-off, which is in accordance with LR 26-1(e)(2).

16 3. **INTERIM STATUS REPORTS:** The parties shall file their interim status report
17 required by LR 26-3 by Thursday, August 16, 2018, which is sixty (60) days before discovery
18 cut-off.

19 4. **DISPOSITIVE MOTIONS:** The parties shall have until Wednesday, November 14,
20 2018, to file dispositive motions, which is thirty (30) days after the close of discovery.

21 5. **SETTLEMENT:** The likelihood of settlement cannot be presently established.

22 6. **PRETRIAL ORDER:** The pretrial order shall be filed Friday, December 14, 2018,
23 which is thirty (30) days after the date set for filing dispositive motions in this case. This
24 deadline is suspended if a dispositive motion is timely filed.

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1 Dated: Thursday, January 18, 2018.

2 LAW OFFICES OF STEVEN J. PARSONS

PYATT SILVESTRI

3 /s/ Steven J. Parsons
4 STEVEN J. PARSONS
5 10091 Park Run Dr Ste 200
6 Las Vegas, NV 89145-8868

/s/ Brian Goldman
JAMES P.C. SILVESTRI
BRIAN GOLDMAN
701 E Bridger Ave Ste 600
Las Vegas, NV 89101-8941

7 Attorneys for Plaintiff
8 **ABC INDUSTRIAL LAUNDRY, LLC**

Attorneys for Defendant
FEDERAL INSURANCE COMPANY

9 HINES HAMPTON, LLP

10 /s/ Christine Emanuelson
11 CHRISTINE EMANUELSON
12 400 S 4th Ste 500
13 Las Vegas, NV 89101

14 by: WHITNEY WILCHER

15 Attorneys for Defendant
16 **NATIONWIDE MUTUAL INSURANCE CO.**

17 **ORDER**

18 **IT IS SO ORDERED.**

19 Dated: 1-19, 2018.

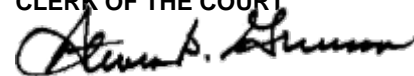


20 U.S. MAGISTRATE JUDGE



EXHIBIT “1”

EXHIBIT “1”



1 **STED**
Steven J. Parsons
2 Nevada Bar No. 363
LAW OFFICES OF STEVEN J. PARSONS
3 10091 Park Run Dr Ste 200
Las Vegas NV 89145-8868
4 (702) 384-9900
(702) 384-5900 (fax)
5 Steve@SJPlawyer.com

6 Attorneys for Plaintiff and
Counter-defendant
7 **ABC INDUSTRIAL LAUNDRY, LLC**

8 **DISTRICT COURT**

9 **CLARK COUNTY, NEVADA**

10 **ABC INDUSTRIAL LAUNDRY, LLC**, a Nevada
limited liability company, dba **UNIVERSAL**
11 **LAUNDRY and SUPPLY**,

Case No.: A-15-720810-C

Dept. No.: II

12 Plaintiff,

13 vs.

14 **CHRISTEYNS LAUNDRY TECHNOLOGY, LLC**,
a Massachusetts limited liability company,

**STIPULATION TO
EXTEND DISCOVERY DEADLINES,
AMEND THE SCHEDULING ORDER, and
RESET THE TRIAL, and
(PROPOSED) ORDER**

(Third Request)

15 Defendant.

16 _____
17 **AND A RELATED COUNTER-CLAIM.**
18 _____

19 Plaintiff/Counter-defendant, **ABC INDUSTRIAL LAUNDRY, LLC dba UNIVERSAL LAUNDRY**
20 **and SUPPLY** ("Plaintiff"), by its counsel, Steven J. Parsons of LAW OFFICES OF STEVEN J. PARSONS,
21 and Defendant/Counter-claimant, **CHRISTEYNS LAUNDRY TECHNOLOGY, LLC** ("Defendant"),
22 by its counsel, William P. Volk of KOLESAR & LEATHAM, hereby submit this Stipulation to Extend
23 Discovery Deadlines, amend the Scheduling Order, and reset the Trial:

24 **A. DISCOVERY WHICH HAS BEEN COMPLETED**

- 25 1. Plaintiff's Initial Disclosures;
- 26 2. Defendant's Initial Disclosures;
- 27 3. The parties have supplemented their Initial Disclosures when necessary;

- 1 4. Plaintiff's First Interrogatories to Defendant;
- 2 5. Plaintiff's First Requests for Admissions to Defendant;
- 3 6. Plaintiff's First Requests for Production to Defendant;
- 4 7. Plaintiff's Second Requests for Production to Defendant;
- 5 8. Defendant's First Interrogatories to Plaintiff;
- 6 9. Defendant's First Requests for Production of Documents to Plaintiff;
- 7 10. Defendant's Second Interrogatories to Plaintiff;
- 8 11. Defendant's Second Requests for Production of Documents to Plaintiff;
- 9 12. Deposition of Defendants NRCP 30(b)(6) has commenced

10 **B. DISCOVERY WHICH REMAINS TO BE CONDUCTED**

- 11 1. Complete the deposition of Defendant's NRCP 30(b)(6) designees;
- 12 2. Deposition of Plaintiff and its employees/agents;
- 13 3. Deposition of Defendant's Experts;
- 14 4. Deposition of Plaintiff's Experts;
- 15 5. Additional written discovery by both Plaintiff and Defendant; and
- 16 6. Written discovery and depositions of various third-parties.

17 **C. CURRENT DISCOVERY SCHEDULE**

18 The current Scheduling Order provides for the following deadlines:

- | | | | |
|----|---|---------------------------------------|------------|
| 19 | • | Deadline to Complete Fact Discovery | 02/16/2018 |
| 20 | • | Motion to Amend Pleadings/Add Parties | 11/20/2017 |
| 21 | • | Initial Expert Disclosures | 03/19/2018 |
| 22 | • | Rebuttal Expert Disclosures | 03/30/2018 |
| 23 | • | Deadline to Complete Expert Discovery | 04/27/2018 |
| 24 | • | Dispositive Motions Due | 05/25/2018 |

25 **D. REASONS WHY THE PROPOSED DISCOVERY IS NOT ABLE TO BE COMPLETED PRIOR**
26 **TO THE EXPIRATION OF THE CURRENT DISCOVERY DEADLINE**

27 The parties' counsel have worked well and ably with each other to complete discovery

1 in this case. Despite their diligent efforts to complete discovery within the current deadlines,
2 the parties need additional time to completely and properly prepare their cases for trial.

3 As the Court may be aware, the parties in this matter are working closely with the
4 parties in a parallel case in the U.S. District Court for the District of Nevada, captioned **ABC**
5 **Industrial Laundry, LLC, dba Universal Laundry and Supply v. Federal Insurance Company, et**
6 **Al.,** as Case No. **2:15-cv-869-RFB-(VCF)** (the “federal court matter”) to minimize discovery
7 overlap and costs and to work together to litigate the cases as efficiently as possible. The
8 federal court matter arises from the same set of facts as the instant case, but deals with
9 Plaintiff’s first-party insurance coverage claims. Much of the discovery in the two cases
10 overlaps.

11 Specifically, the parties in both cases need to complete the deposition of Christeyns’
12 Rule 30(b)(6) designees and other specific Christeyns employees; ABC’s Rule 30(b)(6)
13 designees and other specific ABC employees; Wynn Resort employees; and several technical
14 experts. The cost of completing this overlapping discovery separately in the two matters would
15 be extraordinary, and as a result, the parties in both cases have been working together closely
16 to plan joint deposition schedules.

17 However, the specifics of ongoing depositions have not yet been agreed to, as
18 coordinating the schedules of nearly a dozen essential people for these depositions has been
19 exceptionally difficult. The participants span the country and have varied and demanding lead-
20 times to commit to the further discovery.¹

21 To date, the parties have started taking the deposition of Christeyns’ Rule 30(b)(6)
22 designee. This deposition took place over two days in Boston, MA, in mid-August. The parties
23 have agreed to continue Christeyns’ 30(b)(6) deposition for one further day at a to-be-
24 determined date, time, and location. The depositions for Plaintiff’s 30(b)(6) designee(s), as
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26 ¹Defendant conducts business from and its lead counsel work and reside in the Boston,
27 Massachusetts area.



1 well as the depositions of Plaintiff's principals, are likely in early 2018 in Las Vegas.

2 Additionally, the parties are engaged in extensive third-party discovery. One of these
3 third-parties objected to discovery requests, it has now retained counsel, and the issue may
4 require motions to compel to resolve. Some of these third-parties are not located in Nevada
5 and therefore have required letters rogatory before discovery requests can be served. Many
6 of these third-parties will require depositions, and scheduling those depositions will require the
7 time and coordination of multiple parties. These third-parties include, but are not limited to,
8 former employees of the Plaintiff who were involved in Plaintiff's operations during the time of
9 issue and who no longer reside in Nevada but are important to both Plaintiff's and Defendant's
10 cases.

11 Discovery was also delayed recently due to a number of discovery disputes that, the
12 parties have attempted to resolve amongst themselves. The parties are hopeful they will be
13 able to continue to work through these discovery disputes without having to resort to motion
14 practice.²

15 The parties believe that an additional one hundred and eighty (180) days will
16 accommodate all interested parties sufficiently to conclude the discovery that remains in this
17 matter.

18 **E. PROPOSED SCHEDULE FOR COMPLETING DISCOVERY**

- | | | | |
|----|---|---------------------------------------|------------|
| 19 | • | Motion to Amend Pleadings/Add Parties | 05/18/2018 |
| 20 | • | Deadline for Fact Discovery | 08/10/2018 |
| 21 | • | Initial Expert Disclosures | 09/07/2018 |
| 22 | • | Rebuttal Expert Disclosures | 09/28/2018 |
| 23 | • | Deadline for Expert Discovery | 10/26/2018 |
| 24 | • | Dispositive Motions Due | 11/30/2018 |

25 _____

26 ² More recently, third-party Wynn Resorts has disputed the production of certain
27 documents from another third-party. Wynn has retained counsel to represent its interests in
that discovery dispute.

1 The parties anticipate the Court setting the Trial for early 2019.


2 Based on the foregoing, the parties respectfully request that the Court extend the
3 discovery deadlines, amend the scheduling Order, and set the trial as recommended above
4 for the good cause shown. *

5 Dated: January 12, 2018.

Dated: January 12, 2018.

6 LAW OFFICES OF STEVEN J. PARSONS

KOLESAR & LEATHAM

7 

 #2826

8 Steven J. Parsons
Nevada Bar No. 363

William P. Volk
Nevada Bar No. 6157


9 Attorneys for Plaintiff
10 ABC INDUSTRIAL LAUNDRY, LLC dba
UNIVERSAL LAUNDRY and SUPPLY

Attorneys for Defendant
CHRISTEYNS LAUNDRY TECHNOLOGY, LLC

11 ORDER

12 IT IS SO ORDERED.

13 Dated: January 16th, 2018.



14 DISTRICT COURT JUDGE

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	Date	Time
* Trial Date:	3/18/19	10:00 a.m.
Pre Trial Conference:	2/27/19	8:45 a.m.
Calendar Call	3/13/19	8:45 a.m.
L/D to File Pretrial Memo:	3/11/19	n/a
L/D to File Dispositive Motions:	1/22/19	n/a

A new Trial Order will not issue.